

# PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an D.R.5.5 zone to an B.L. and D.R.16 zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

RECEIVED  
BALTIMORE COUNTY  
CLERK OF APPEALS  
AUG 31 4 22 PM '81

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser: TIMANUS LANE PARTNERSHIP (Type or Print Name)	Legal Owner(s): <b>HOWARD BROWN</b> (Type or Print Name)	MAP: _____
Signature _____	Signature <i>Howard Brown</i>	DATE: _____
Address _____	Signature _____	FILE: _____
City and State _____	(Type or Print Name)	INDEX: _____
Attorney for Petitioner: Lee N. Sachs (Type or Print Name)	Address _____ Phone No. _____	
Signature <i>Lee N. Sachs</i>	City and State _____	
25 S. Calvert Street	Name, address and phone number of legal owner, contract purchaser or representative to be contacted	
Address _____	Lee N. Sachs	
Baltimore, Maryland 21202	Name _____	
City and State _____	25 S. Calvert Street 685-0111	
Attorney's Telephone No. 685-0111	Address _____ Phone No. _____	
	Baltimore, Maryland 21202	

BABC - Form 1

MICROFILMED

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS  
from D.R. 5.5 to B.L. (16.08 ac.) & : OF BALTIMORE COUNTY  
D.R. 16 (9.79 ac.)  
W/S of Timanus Lane; N/S of Windsor Mill Rd., both sides of Doonan Rd., 2nd District : Case No. R-82-182 (Item 3, Cycle II, 1981)

HOWARD BROWN, Petitioner

## ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel

*John W. Hession, III*  
John W. Hession, III  
People's Counsel for Baltimore County  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 3rd day of March, 1982, a copy of the foregoing Order was mailed to Lee N. Sachs, Esquire, 25 S. Calvert Street, Baltimore, Maryland 21202, Attorney for Petitioner.

RECEIVED  
BALTIMORE COUNTY  
CLERK OF APPEALS  
MAR 3 2 04 PM '82

*John W. Hession, III*  
John W. Hession, III

MICROFILMED

## BALTIMORE COUNTY

## ZONING PLANS

## ADVISORY COMMITTEE



## PETITION AND SITE PLAN

## EVALUATION COMMENTS

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 30, 1981

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

cc: Nicholas J. Commodari  
C. A. Ryan

MEMORANDUM

Bureau of Engineering  
Department of Traffic Engineering  
State Police Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Lee N. Sachs, Esquire  
25 S. Calvert Street  
Baltimore, Maryland 21202

RE: Item No. 3 - Cycle No. II  
Petitioner - Howard Brown  
Reclassification Petition

Dear Mr. Sachs:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the October 1981 - April 1982 reclassification cycle (Cycle II). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and commenting agencies' standards and policies, you are requested to review these comments, make your own judgement as to their accuracy and submit the necessary amendments to this office before November 30. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

The subjects of this petition consist of three wooded parcels of ground, which are zoned D.R.5.5 and are located on the west side of Timanus Lane north of Windsor Mill Road in the 2nd Election District. These properties were the subject of a previous zoning hearing (Case #78-26-R) in which the reclassification requests were denied.

In view of your client's proposal to reclassify this land to B.L. and D.R.16, this hearing is required. If you are not aware, Bill 124-81 changed requirements for all D.R. zoned land. I suggest you obtain a copy of said Bill and determine how it will affect your property. In addition, your surveyor should contact me in order to discuss the descriptions that were submitted with the petition in order to assure proper advertisement.

MICROFILMED

Item No. 3 - Cycle No. II  
Petitioner - Howard Brown  
Reclassification Petition

In view of the fact that the submitted site plan does not indicate a proposed development of the subject property, the comments from the Committee are general in nature. If the requested reclassification is granted, more detailed comments from County Agencies and/or this Committee will be submitted when a proposed development is shown.

If you have any questions concerning the enclosed comments, please feel free to contact me at 494-3391. Notice of the specific hearing date, which will be between March 1 and June 30, 1982, will be forwarded to you in the future.

Very truly yours,

*Nicholas B. Commodari*  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Spellman, Larson & Associates, Inc.  
Jefferson Building  
Towson, Maryland 21204

MICROFILMED

BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E.  
DIRECTOR

September 25, 1981

Mr. William T. Hackett, Chairman  
Board of Appeals  
Court House  
Towson, Maryland 21204

Re: Item #3 Cycle Zoning II (Oct. 1981-Apr. 1982)  
Property Owner: Howard Brown  
Parcel "A" - S/W cor. Timanus Lane & Doonan Rd.  
Parcel "B" - S/W Doonan Rd. 510' N/W of Timanus Lane  
Parcel "C" - N/W cor. Timanus Lane & Doonan Rd.  
Existing Zoning: D.R. 5.5  
Proposed Zoning: B-L & DR 16  
Acres: 25.87 District: 2nd

Dear Mr. Hackett:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General:

Comments were supplied for this property (including "Parcel D") in connection with the Zoning Advisory Committee review for Item 5 Zoning Cycle I (April-October 1977), 78-26-R (Item No. 5). Those comments, and the comments supplied in connection with the Zoning Advisory Committee review for Item 231 (1968-1969) remain valid and applicable and are referred to for your consideration.

This office has no further comment in regard to the plat submitted for Zoning Advisory Committee review in connection with this Item 3 Cycle II (October 1981-April 1982).

Very truly yours,

*Robert A. Morton, P.E.*  
ROBERT A. MORTON, P.E., Chief  
Bureau of Public Services

RAM:EAM:FWR:ss

cc: Jack Wimbley

1-NE Key Sheet  
15-17 NW 26 Pos. Sheets  
NW 4 & 5 G Topo  
87 Tax Map  
Attachment

MICROFILMED

April 28, 1977

Mr. S. Eric DiNenna  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #5 (Cycle I April-October 1977)  
Property Owner: Lane Realty, Inc.  
N/2S of Timanus Lane, 950' N/2 of Windsor Mill Rd.  
Existing Zoning: D.R. 5.5  
Proposed Zoning: D.R. 16 and B.L.  
District: 2nd  
No. of Acres: Parcel "A": 7.47, Parcel "B": 4.92,  
Parcel "C": 4.87, Parcel "D": 3.86, Parcel "E": 7.43

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General:

Comments were supplied in connection with the Zoning Advisory Committee review of this property in connection with Item #251 (1968-1969). Those comments remain valid and applicable and are referred to for your consideration.

This property is tributary to the Gwynns Falls Sanitary Sewer System subject to State Health Department regulations.

Very truly yours,

*Edward S. Flanagan, Jr.*  
Edward S. Flanagan, Jr.  
Acting Chief  
Bureau of Engineering

DW:EAM:FWR:ss  
1-NE Key Sheet  
15-17 NW 26 Pos. Sheets  
NW 4 & 5 G Topo  
87 Tax Map

MICROFILMED

baltimore county  
Department of Traffic Engineering  
TOWSON, MARYLAND 21204  
(301) 494-3550

STEPHEN E. COLLINS  
DIRECTOR

October 8, 1981

Mr. William Hackett  
Chairman, Board of Appeals  
Office of Law, Courthouse  
Towson, Maryland 21204

Cycle II - Meeting of September 14, 1981  
Item No. - 3  
Property Owner: Howard Brown  
Location: Parcel "A" - SW/Cor. Timanus Lane & Doonan Road  
Parcel "B" - SW/S Doonan Road 510' N/W of Timanus Lane  
Parcel "C" - NW/Cor. Timanus Lane & Doonan Road  
Existing Zoning: D.R. 5.5  
Proposed Zoning: B-L & D.R. 16  
Acres: 25.87  
District: 2nd.

Dear Mr. Hackett:

As presently zoned, this site can be expected to generate approximately 1421 trips per day and the proposed zoning can be expected to generate approximately 9200 trips per day.

The intersection of Liberty Road and Washington Avenue is at F level of service.

The streets in this area were not designed for high density development and such use can be expected to cause problems.

*Michael S. Flanagan*  
Michael S. Flanagan  
Traffic Engineering Associate II

MSF/rj

MICROFILMED



October 29, 1981

Mr. William Hackett - Chairman  
Board of Appeals  
Room 219 - Court House  
Towson, Maryland 21204

Dear Mr. Hackett:

Comments on Item #3, Zoning Cycle II - 1981, are as follows:

Property Owner: Howard Brown  
Location: Parcel "A" - SW cor Timanus Lane and Dooman Road  
Parcel "B" - SW 1/4 Dooman Road 510' N/W of Timanus Lane  
Parcel "C" - NW cor Timanus Lane and Dooman Road  
Acres: 25.87  
District: 2nd

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to advise that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The subject property is located in the Gwynns Falls Sewer Area and in Traffic Level of Service Area controlled by "D" and "F" intersections.

Any subdivision of the property will require compliance with Title 22 of the Baltimore County Code.

Very truly yours,

*John L. Wimbley*  
John L. Wimbley  
Planner III  
Current Planning and Development

JLW:rh

September 30, 1981

Mr. Walter Reiter, Chairman  
Board of Appeals  
Court House  
Towson, Maryland 21204

Dear Mr. Reiter:

Comments on Item #3, Zoning Advisory Committee Meeting for Cycle II, are as follows:

Property Owner: Howard Brown  
Location: Parcel "A" - SW/Cor. Timanus Lane & Dooman Road  
Parcel "B" - SW/S Dooman Road 510' N/W of Timanus Lane  
Parcel "C" - NW/Cor. Timanus Lane & Dooman Road  
Existing Zoning: D.R. 5.5  
Proposed Zoning: B-L & D.R. 16  
Acres: 25.87  
District: 2nd

Metropolitan water and sewer are proposed. Connection to metropolitan sewer is subject to the Gwynns Falls Sewer moratorium.

The Zoning Plan, as submitted, does not include enough information to enable the Baltimore County Department of Health to make complete comments.

Very truly yours,  
*Jan J. Forrest*  
Jan J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

IJF/JRP/mgt

October 9, 1981

Mr. William Hackett  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Howard Brown

Location: Parcel "A" - SW/Cor. Timanus Lane & Dooman Road Parcel "B" - SW/S Dooman Road 510' N/W of Timanus Lane Parcel "C" - NW/Cor. Timanus Lane & Dooman Rd.  
Item No. 3 Zoning Agenda: Meeting of September 14, 1981

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

2. A second means of vehicle access is required for the site.

3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

6. Site plans are approved, as drawn.

7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *Patricia M. Hackett*  
Planning & Zoning  
Special Inspection Division

NOTED AND  
APPROVED: *George M. Hackett*  
Fire Prevention Bureau

JH/m/c

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William Hackett-Chairman  
Board of Appeals  
Date: September 22, 1981  
TO: Nick Commodari  
FROM: Charles E. Burnham  
Cycle II - 1981  
SUBJECT: Item #3 Zoning Advisory Committee Meeting - 9-14-81

Property Owner: Howard Brown  
Location: Parcel "A" - SW/Corner Timanus Lane and Dooman Road  
Parcel "B" - SW/S Dooman Road 510' N/W of Timanus Lane  
Parcel "C" - NW/Corner Timanus Lane and Dooman Road  
Existing Zoning: D.R. 5.5  
Proposed Zoning: B-L & D.R. 16

Acres: 25.87  
District: 2nd

All future improvements shall be in compliance with the Baltimore County Building Code, the Handicapped Code of the State of Maryland and other applicable rules, regulations and codes.

No construction shall begin until the applicable permits have been obtained.

*Charles E. Burnham*  
Charles E. Burnham  
Plans Review Chief

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: Sept. 22, 1981

Mr. Walter Reiter  
Chairman, Board of Appeals  
Baltimore County Office Building  
1111 West Chesapeake Avenue  
Towson, Maryland 21204

Zoning Cycle #11 - 1981

RE: Item No. 3  
Property Owner: Howard Brown  
Location: "A"-SW/Cor. Timanus La. & Dooman Rd. 510' N/W of Timanus Lane.  
Present Zoning: D.R. 5.5  
Proposed Zoning: B-L & D.R. 16  
Acres: 25.87  
School Situation: "C"-NW/Cor. Timanus La. & Dooman Rd.

School	Enrollment	Capacity	Over/Under
Hebbsville El.	352	500	-148
Woodlawn Jr.	1011	1189	-178
Milford Mill Sr.	1123	1505	-382

Student Yield With:	Existing Zoning	And	Proposed Zoning
Elementary	12-77		0-21
Junior High	11-24		0-11
Senior High	6-38		0-5

Schools servicing this area are all able to accommodate any pupils from either existing zoning or from proposed zoning.

Very truly yours,  
*Nick Petrovich*  
Mr. Nick Petrovich, Assistant  
Department of Planning

WNP/bp

LAO OFFICES  
WARTZMAN, ROMERO, RUDD & OMANSKY, P.A.  
20 SOUTH CALVERT STREET  
BALTIMORE, MARYLAND 21202  
685-0111

August 31, 1981

PAUL WARTZMAN  
FICHARD T. ROMERO  
LEON J. RUDD  
KOLPH H. OMANSKY  
LEE M. KOHL  
STEVE G. GIDEN  
MICHAEL E. KAMENOW  
MARTIN J. ALBERTSON  
STUART R. ROMERO  
ROBERT J. STEINBERG

Baltimore County Board of Appeals  
County Office Building  
Towson, Maryland 21204

RE: Parcel A-16.08 acres  
Parcel B-4.92 acres  
Parcel C-4.87 acres in the vicinity of  
Timanus Lane and Dooman Road

Gentlemen:

On behalf of the contract purchaser of the captioned property, which is the subject of a "Petition for Zoning Reclassification" to which this statement is attached, we herewith explain why, in the opinion of our clients, the reclassification sought should be made.

The property consists of the acreage captioned above, and also of other adjacent acreage which is not the subject for reclassification. A portion of the property fronts on Windsor Mill Road. Directly across Windsor Mill Road, from the subject property, there has been fully developed an industrial and office park. This development, having been completed (or nearly completed) has occasioned a substantial change in the character of the neighborhood in which the subject parcels are located.

Details on this development will be presented at the appropriate hearings.

WARTZMAN, ROMERO, RUDD & OMANSKY, P.A.

*Leo N. Sachs*  
Leo N. Sachs  
25 S. Calvert Street  
Baltimore, Maryland 21202  
(301) 685-0111

Attorneys for Petitioner

494-3180

County Board of Appeals

Room 219, Court House  
Towson, Maryland 21204  
May 3, 1983

Leo N. Sachs, Esquire  
25 S. Calvert Street  
Baltimore, Md. 21202

Re: Case No. R-82-182  
Howard Brown

Dear Mr. Sachs:

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

*Edith T. Eisenhart*  
Edith T. Eisenhart, Adm. Secretary

Encl.

cc: Mr. Howard Brown  
Jacqueline Massey  
Joseph Henriques  
Yvonne Williams  
Josephine Fisher  
John W. Hession, Esquire  
Mr. W. E. Hammond  
Mr. J. E. Dyer  
Mr. N. E. Gerber  
Mr. J. G. Howell  
Board of Education

494-3180

County Board of Appeals

Room 200, Court House  
Towson, Maryland 21204  
March 29, 1983

NOTICE OF ASSIGNMENT  
CONTINUED HEARING

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. R-82-182  
(Item #3 - Cycle II)

HOWARD BROWN

For reclassification from D.R. 5.5 to B.L. & D.R. 16

Parcel A - SW cor. Dooman Rd. & Timanus La.  
Parcel B - SW/S Dooman Rd. 510' NW Timanus La.  
Parcel C - NW cor. Dooman Rd. & Timanus La.  
2nd District

ASSIGNED FOR:

THURSDAY, JULY 21, 1983 at 10 a.m.

cc: Leo N. Sachs, Esquire

Counsel for Petitioner

Howard Brown

Petitioner

Jacqueline Massey

Protestant

Joseph Henriques

"

Yvonne Williams

Requested Notification

Josephine Fisher

"

John W. Hession, III, Esq.

People's Counsel

W. E. Hammond

J. E. Dyer

N. E. Gerber

J. G. Howell

Board of Education

Edith T. Eisenhart, Adm. Secretary



Lee N. Sachs, Esquire  
25 S. Calvert Street  
Baltimore, Maryland 21202

February 10, 1982

NOTICE OF HEARING

RE: Petition for Re-classification  
Parcel A - NW/cor of Timanus La. & Windsor Mill Rd.  
Parcel B - SW/s Dooman Rd. (Unimproved) 510' NW  
of Timanus La. & 1707' NE of Windsor Mill Rd.  
Parcel C - NW/cor. of Timanus La. & Dooman Rd.  
(unimproved) 1777' NE of Windsor Mill Rd.  
Howard Brown - Petitioner Case #R-82-182

TIME: 10:00 A.M.

DATE: Wednesday, March 10, 1982

PLACE: Room 218, Courthouse, Towson, Maryland

*William T. Hackett*  
William T. Hackett, Chairman  
County Board of Appeals

*Cont'd on Thur 4/22/82 - 10 am*

3/29/83 - All notified of CONTINUED HEARING scheduled for THURSDAY, JULY 21, 1983 at 10 a.m.

494-3160

County Board of Appeals  
Room 219, Court House  
Towson, Maryland 21204

March 29, 1983

Lee N. Sachs, Esquire  
25 S. Calvert Street  
Baltimore, Md. 21202

Re: Case No. R-82-182  
Howard Brown

Dear Mr. Sachs:

Enclosed herewith is a copy of the RULING  
passed today by the County Board of Appeals in the above  
entitled case.

Very truly yours,

*Edith T. Eisenhart*  
Edith T. Eisenhart,  
Adm. Secretary

Encl.

cc: Howard Brown  
Jacqueline Massey  
Joseph Henriques  
Yvonne Williams  
Josephine Fisher  
John W. Hessian, Esq.  
W. E. Hammond  
J. E. Dyer  
M. E. Garber  
J. G. Howwell  
Board of Education

IN RE: HOWARD BROWN  
WINDSOR MILL ROAD,  
TIMANUS LANE and  
DOOMAN ROAD

SECOND DISTRICT

RE: PETITION FOR  
RECLASSIFICATION

BEFORE THE COUNTY  
BOARD OF APPEALS  
CASE NO. R-82-182

MEMORANDUM

This Memorandum is submitted on behalf of the Petitioner, in response  
to a question that was raised by the People's Counsel at the hearing that was  
commenced on April 22, 1982.

This action was commenced by a Petition for Reclassification, filed by  
the Petitioner, seeking a reclassification of the subject property on account  
of a change in the neighborhood. When Petitioner attempted to elicit  
testimony from a witness, at the April 22nd hearing, with respect to change in  
the neighborhood, People's Counsel objected, citing the provisions of the  
Baltimore County Code, paragraph 2-58.1 (j) (1) which, in part, provides that,  
"before any property is reclassified pursuant to this Section, the Board of  
Appeals must find . . . that there has occurred a substantial change in the  
character of the neighborhood in which the property is located since the  
property was last classified . . ." People's Counsel suggest that the  
Petitioner cannot produce testimony with respect to the character of the  
neighborhood prior to 1980, when the most recent zoning map was enacted,  
because, says . . . in 1980 the property was "last classified".

Petitioner suggests the attention of the Board to the case of Town of  
Somerset vs. County Council, 229 Md. 42, 181 A.2d 671 (1962) in which the  
Court of Appeals indicates that changes which may have occurred prior to the  
last comprehensive rezoning need not be entirely disregarded when considering  
a change from that zoning, even when the zoning change was a contested issue

Page 1

in the last comprehensive rezoning. The Court recognized the applicability of  
changes after the last rezoning, but rejects the contention of the Town of  
Somerset that only changes since the last rezoning are significant.

The case of Muhly v. County Council, 218 Md. 543, 147 A.2d 735 (1959)  
notes the necessity of considering changes between the original zoning and the  
confirmation of that zoning (that is, rezoning) even though there was an  
adoption of a county zoning map and plan, without any change as to a  
particular property, indicates support for the original zoning decision.  
Thus, the fact that the change has not occurred after the last rezoning should  
not prevent reclassification.

In addition to being reinforced by the cited cases, Petitioner's  
position should also be addressed in terms of public policy. As noted in the  
Law Review article entitled "Zoning Change: Flexibility vs. Stability" (26  
Md. L.R. 48, 1960), the "change-mistake" test has been frequently rejected  
because of its adverse effects, a position which is particularly applicable to  
a statute as restrictive as the subject ordinance provision.

Petitioner therefore submits that the hearing should be reconvened,  
and he should be permitted to proceed with testimony respecting the change of  
the character of the neighborhood in which the subject property is located  
without being restricted to limiting that showing to 1980 and thereafter.  
Petitioner submits that the testimony he will elicit will show some change  
since 1980, to be better understood and more realistically recognized by  
testimony of the changes that have occurred prior to 1980.

WARTZMAN, ROMERO, RUDD & OMANSKY, P.A.

*Lee N. Sachs*  
Lee N. Sachs  
Attorney for Petitioner  
25 S. Calvert Street  
Baltimore, Md. 21202  
685-0111

Page 2

I HEREBY CERTIFY that a copy of the above was mailed this 2nd day of  
July, 1982, to J. W. Hessian, Esquire, People's Counsel, County Court House,  
Towson, Maryland 21204.

*Lee N. Sachs*  
Lee N. Sachs



Baltimore County, Maryland

PEOPLE'S COUNSEL  
RM. 223, COURT HOUSE  
TOWSON, MARYLAND 21204

JOHN W. HESSIAN, III  
People's Counsel  
PETER MAX ZIMMERMAN  
Deputy People's Counsel

TEL. 494-2188

February 2, 1983

The Honorable  
William T. Hackett, Chairman  
County Board of Appeals  
Room 200, Court House  
Towson, Maryland 21204

RE: HOWARD BROWN, Petitioner  
Timanus Lane Partnership, Contract  
Purchaser, Zoning Case #R-82-182

Dear Mr. Hackett:

The fact that Mr. Sachs had filed a Memorandum and that a response was  
necessary completely escaped me and it was not until you called my delinquency  
to my attention that I rediscovered the matter. I hope that my default has  
not caused either you or Mr. Sachs any problems.

In response to the Memorandum, let me say that if Mr. Sachs were attempting  
to prove error in the 1980 Comprehensive Zoning Map, and to bulwark his expert's  
opinion, asked the expert to cite various zoning events - "changes" - that had  
previously occurred and which were ignored by the Council, and thus produced an  
error, Town of Somerset v. County Council, cited by him, and Muhly v. County  
Council, again cited by him, would provide appropriate guidelines. In this case,  
however, this is not his undertaking.

What Mr. Sachs is attempting to do is to recite changes in zoning that occurred  
prior to the 1980 Comprehensive Map as the basis to demonstrate "change in the  
neighborhood" as the legal reason for a reclassification. My position is that if your  
sole basis for reclassification is "change in the neighborhood," as distinguished from  
"error," you cannot utilize alleged changes which occurred prior to the last preceding  
comprehensive zoning map. A rather straightforward authority for that position is  
found in a more recent case than those cited by Mr. Sachs, Mayor and Council of  
Rockville v. Stone, 271 Md. 655, which was decided by the Court of Appeals in 1974.  
At page 661, we find the following, which I have directly quoted:

The Honorable  
William T. Hackett, Chairman  
County Board of Appeals

February 2, 1983

"In demonstrating change in the neighborhood the applicant must show

"(a) what area reasonably constituted the "neighborhood" of the  
subject property, (b) the changes which have occurred in that  
neighborhood since the comprehensive (or prior piecemeal)  
rezoning and (c) that these changes resulted in a change in the  
character of the neighborhood." Montgomery v. Bd. of Co.  
Comm'rs for Prince George's Co., 255 Md. 597, 281 A.2d 447  
(1970). See also Rockville v. Hensley, *supra*; Clayman v. Prince  
George's Co., 266 Md. 409, 292 A.2d 689 (1972); Heller v.  
Prince George's Co., *supra*."

I would respectfully submit that the decision of the Court of Appeals, as quoted,  
is direct guidance on the issue.

It is my recollection that the hearing previously opened was continued in order  
that you might have the opportunity to rule on the evidentiary issue. If this is  
correct, all that is now required of the Board is a ruling, and no formal Order  
thereon is necessary. After you have issued your ruling, you might then wish to  
automatically reschedule the case so that it might be continued and completed  
in accordance with your ruling.

Very truly yours,

*John W. Hessian, III*  
John W. Hessian, III  
People's Counsel for Baltimore County

cc: Lee N. Sachs, Esquire

LAW OFFICES  
WARTZMAN, ROMERO, RUDD & OMANSKY, P.A.  
25 SOUTH CALVERT STREET  
BALTIMORE, MARYLAND 21202  
685-0111

RONALD L. SCHREIBER  
(1934-1980)

FILE NO. 35357

July 2, 1982

County Board of Appeals  
219 Court House  
Towson, Md. 21204

Re: Case No. R-82-182  
(Item #5)

Ladies and Gentlemen:

Enclosed is our Memorandum with respect to the issue raised by People's  
Counsel at the April 22, 1982 hearing. I apologize for the length of time  
it has taken for the research and preparation of this Memorandum.

I assume you will permit Mr. Hessian ample time to respond. Thank  
you for your courtesy.

Very truly yours,

WARTZMAN, ROMERO, RUDD & OMANSKY, P.A.

*Lee N. Sachs*  
Lee N. Sachs

ENS/et  
Enc.  
cc: J. W. Hessian, Esquire  
cc: Mr. Howard Brown  
cc: Mr. Charles Crane

RECEIVED  
BALTIMORE COUNTY  
JUL 7 2 21 PM '82  
COUNTY BOARD  
OF APPEALS  
BY:

RECEIVED  
BALTIMORE COUNTY  
JUL 7 2 21 PM '82  
COUNTY BOARD  
OF APPEALS  
BY:



**County Board of Appeals**  
Room 219, Court House  
Towson, Maryland 21204

March 10, 1982

**NOTICE OF ASSIGNMENT**  
(CONTINUED HEARING)

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. R-82-182  
(Item #3)

HOWARD BROWN

Windsor Mill Rd., Timanus Lane and  
Dooman Rd.

2nd District

Re: Petition for Reclassification

## ASSIGNED FOR:

THURSDAY, APRIL 22, 1982, at 10 a.m.

cc: Lee N. Sachs, Esq.

Counsel for Petitioner

Jacqueline Massey

Protestant

Joseph Henriques

"

Yvonne Williams

J. W. Hessian, Esq.

People's Counsel

J. Hoswell

Howard Brown  
c/o Lee Sachs, Esq.  
25 S. Calvert St.

Petitioner

Josephine Fisher

W. Hammond

J. Dyer

June Holmen, Secy.

LAW OFFICES  
WARTZMAN, ROMBRO, RUDD & OMANSKY, P. A.  
25 SOUTH CALVERT STREET  
BALTIMORE, MARYLAND 21202  
685-0111

RONALD L.M. REISER  
(1934-1980)

August 31, 1981

PAUL WARTZMAN  
RICHARD T. ROMBRO  
LEON I. RUDD  
JOSEPH H. OMANSKY  
LEE N. SACHS  
STEVE G. GILLEN  
MICHAEL E. KAMINSKY  
MARTIN I. ALPERSTEIN  
STUART R. ROMBRO  
ROBERT J. STEINBERG

Baltimore County Board of Appeals  
County Office Building  
Towson, Maryland 21204

RE: Parcel A-16.08 acres  
Parcel B-4.92 acres  
Parcel C-4.87 acres in the vicinity of  
Timanus Lane and Dooman Road

Gentlemen:

On behalf of the contract purchaser of the captioned property, which is the subject of a "Petition for Zoning Reclassification" to which this statement is attached, we herewith explain why, in the opinion of our client, the reclassification sought should be made.

The property consists of the acreage captioned above, and also of other adjacent acreage which is not the subject for reclassification. A portion of the property fronts on Windsor Mill Road. Directly across Windsor Mill Road, from the subject property, there has been fully developed an industrial and office park. This development, having been completed (or nearly completed) has occasioned a substantial change in the character of the neighborhood in which the subject parcels are located.

Details on this development will be presented at the appropriate hearings.

WARTZMAN, ROMBRO, RUDD &amp; OMANSKY, P.A.

Lee N. Sachs  
25 S. Calvert Street  
Baltimore, Maryland 21202  
(301) 685-0111

Attorneys for Petitioner

**County Board of Appeals**  
Room 219, Court House  
Towson, Maryland 21204  
February 25, 1982

Lee N. Sachs, Esquire  
25 S. Calvert Street  
Baltimore, Md. 21202

Re: Item #3- Case #R-82-182  
Cycle II, Howard Brown

Dear Mr. Sachs:

Your case has been assigned for hearing before the Board during the normal cycle period for reclassification petitions. Written and public notice of the date of the hearing has either been given or is in the process of publication.

The Board has been informed that there are presently pending in the Circuit Court for Baltimore County three separate suits, all of which directly question the validity of the adoption of the 1980 comprehensive zoning map by the County Council of Baltimore County. The suits to which we refer are:

Home Builders Assn. of Md., Inc., et al. v. Baltimore County, Md., et al - Circuit Court Equity #107047

Isaac A. Jones v. Baltimore County, Md., et al - Circuit Court Equity #108029

Shoppco Reisterstown Associates, et al v. Baltimore County, Md., et al - Circuit Court Equity #107318.

The Board, of course, is not involved in those suits and consequently will not be asked to express any opinion on the enactment question. However, we are concerned that the parties to the pending reclassification cases be made aware that there will probably be a judicial decision on the question sometime in the future, and if the Circuit Court should find that the maps were, in fact, improperly enacted, and that decision is affirmed by an appellate court, the various parties to reclassification cases might then be placed in the position of having expended time and money in the preparation and trial of their cases based on the comprehensive map which legally might not exist. The Board has, therefore, determined that it will afford each of the petitioners in the pending reclassification cases the opportunity to review the pending Circuit Court cases and make their individual determination as to whether they wish to proceed at this time to fully try their reclassification case or whether they would prefer not to take that risk and ask the Board for a continuance of their case without hearing until such time as there has been a definitive ruling by the courts on the question of the validity of the 1980 maps.

Page Two

Since there must be some limit to the period of time within which a decision should be made and communicated to the Board, it has been decided that all requests for postponements made pursuant hereto must be delivered in writing to the Board on or before March 15, 1982.

The Board has enacted one very important provision to its willingness to cooperate in the granting of postponements for the purpose outlined above, which is that it will not entertain the use of the reasons given above for a postponement for other reasons and, therefore, if a case is postponed for the reason given above it must remain inactive until there is a definitive action from the courts. Therefore, parties are cautioned that if they do, in fact, seek a postponement because of the doubt surrounding the validity of the enactment of the 1980 comprehensive maps, they will be required to wait until there is a decision from the courts on the question before the Board will again assign their case no matter how long the case is suspended.

The purpose of this communication is to alert all parties of record involved of the Board's intention if a request is timely submitted.

Very truly yours,

*William T. Hackett*  
William T. Hackett, Chairman

WTH:0

**County Board of Appeals**  
Room 219, Court House  
Towson, Maryland 21204  
February 25, 1982

Lee N. Sachs, Esquire  
25 S. Calvert Street  
Baltimore, Md. 21202

Re: Item #3 - Case #R-82-182  
Cycle II, Howard Brown

Dear Mr. Sachs:

It has been brought to our attention that we afforded the Petitioners in Cycle I reclassification cases the opportunity explained in the enclosed letter.

Since this option was selected by very few Petitioners in Cycle I, we are hopeful that this does not affect your case. If, however, you wish to elect this option, the Board will grant it but because of advertising and notification problems it will have to be done in open hearing.

Please advise this office of your decision.

Very truly yours,

*William T. Hackett*  
William T. Hackett, Chairman

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

Lee N. Sachs, Esquire  
25 S. Calvert Street  
Baltimore, MD 21202

March 5, 1982

RE:

Petition for Reclassification  
Parcel A-NW/cor. of Timanus La. & Windsor Mill Rd.  
Parcel B-SW/s Dooman Rd. (Unimproved) 510' NW of  
Timanus La. & 1707' NE of Windsor Mill Rd.  
Parcel C-NW/cor. of Timanus La. & Dooman Rd.  
(unimproved) 1777' NE of Windsor Mill Rd.  
Howard Brown - Petitioner  
Case #R-82-182

Dear Mr. Sachs:

This is to advise you that \$174.00 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,

*William E. Hammond*  
WILLIAM E. HAMMOND  
Zoning Commissioner

WEH:klr

LAW OFFICES  
WARTZMAN, ROMBRO, RUDD & OMANSKY, P. A.  
25 SOUTH CALVERT STREET  
BALTIMORE, MARYLAND 21202  
685-0111

RONALD L.M. REISER  
(1934-1980)

April 27, 1983

County Board of Appeals  
219 Court House  
Towson, MD 21204

RE: Case No. R-82-182  
Howard Brown

Gentlemen:

Please file the enclosed ORDER OF DISMISSAL in the captioned case.

Very truly yours,

WARTZMAN, ROMBRO, RUDD &amp; OMANSKY, P. A.

Lee N. Sachs

LNS:jcb  
cc: John W. Hessian, Esq.  
Howard Brown

*Rec'd 4-28-83  
11:45am*

## BALTIMORE COUNTY, MARYLAND

## INTER OFFICE CORRESPONDENCE

William T. Hackett-Chairman  
TO: Board of Appeals  
FROM: Vice Chairman  
SUBJECT: Item #3 - Case #R-82-182  
Cycle II - 1982  
Item #3 Zoning Advisory Committee Meeting - 5-11-81  
Property Owners: Howard Brown  
Location: Parcel A-NW/cor. of Timanus La. & Windsor Mill Rd.  
Parcel B-SW/s Dooman Rd. (Unimproved) 510' NW of Timanus La. & 1707' NE of Windsor Mill Rd.  
Parcel C-NW/cor. of Timanus La. & Dooman Rd. (unimproved) 1777' NE of Windsor Mill Rd.  
Meeting Dates: Feb. 5-6  
Proposed Meeting: 5-6 & 11, 16  
Access: 25, 27  
Districts: 2nd

All future improvements shall be in compliance with the Baltimore County Building Code, the Handicapped Code of the State of Maryland and other applicable rules, regulations and codes.

No construction shall begin until the applicable permits have been obtained.

*Charles E. Roesch*  
Charles E. Roesch  
Planning Review Chief

RECEIVED  
BALTIMORE COUNTY  
PLANNING & ZONING  
DIVISION  
APR 28 1983  
BY: [Signature]



441900 3 1-268500

THE UNIVERSITY OF CHICAGO





BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

March 5, 1982

Lee N. Sachs, Esquire  
25 S. Calvert Street  
Baltimore, Maryland 21202

RE: Petition for reclassification  
Parcel A - NW/cor. of Timanus La. & Windsor  
Mill Rd.  
Parcel B - SW/s of Dooman Rd. (unimproved)  
510' NW of Timanus La. & 1707' NE of  
Windsor Mill Rd.  
Parcel C - NW/cor. of Timanus La. & Dooman  
Rd. (unimproved) 1777' NE of Windsor Mill Rd.  
Howard Brown - Petitioner Case #R-82-182

Dear Mr. Sachs:

This is to advise that \$52.75 is due for the 2nd full page add of the cycle 2 billing. You have already been billed for the 1st full page add as well as for the individual posting and advertising of this property. All bills must be paid before an order is issued. This is your final bill.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland, 21204, as soon as possible.

Very truly yours,

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 105752

DATE 3/16/82 ACCOUNT 01-662

AMOUNT \$226.75

RECEIVED FROM Charles Crane  
FOR 2nd full page add & individual posting and advertising of Case #R-82-182 (Howard Brown)

3/16/82 226.75

IN THE MATTER OF  
THE APPLICATION OF  
HOWARD BROWN FOR  
REZONING OF PROPERTY  
Parcel A - SW corner  
Dooman and Timanus La.  
Parcel B - SW/S Dooman  
Rd. 510' NW of Timanus  
Lane  
Parcel C - NW corner Dooman  
Rd. and Timanus  
Lane  
Second District

BEFORE THE  
COUNTY BOARD OF APPEALS  
OF  
BALTIMORE COUNTY  
No. R-82-182  
(Item #3 - Cycle II)

ORDER OF DISMISSAL

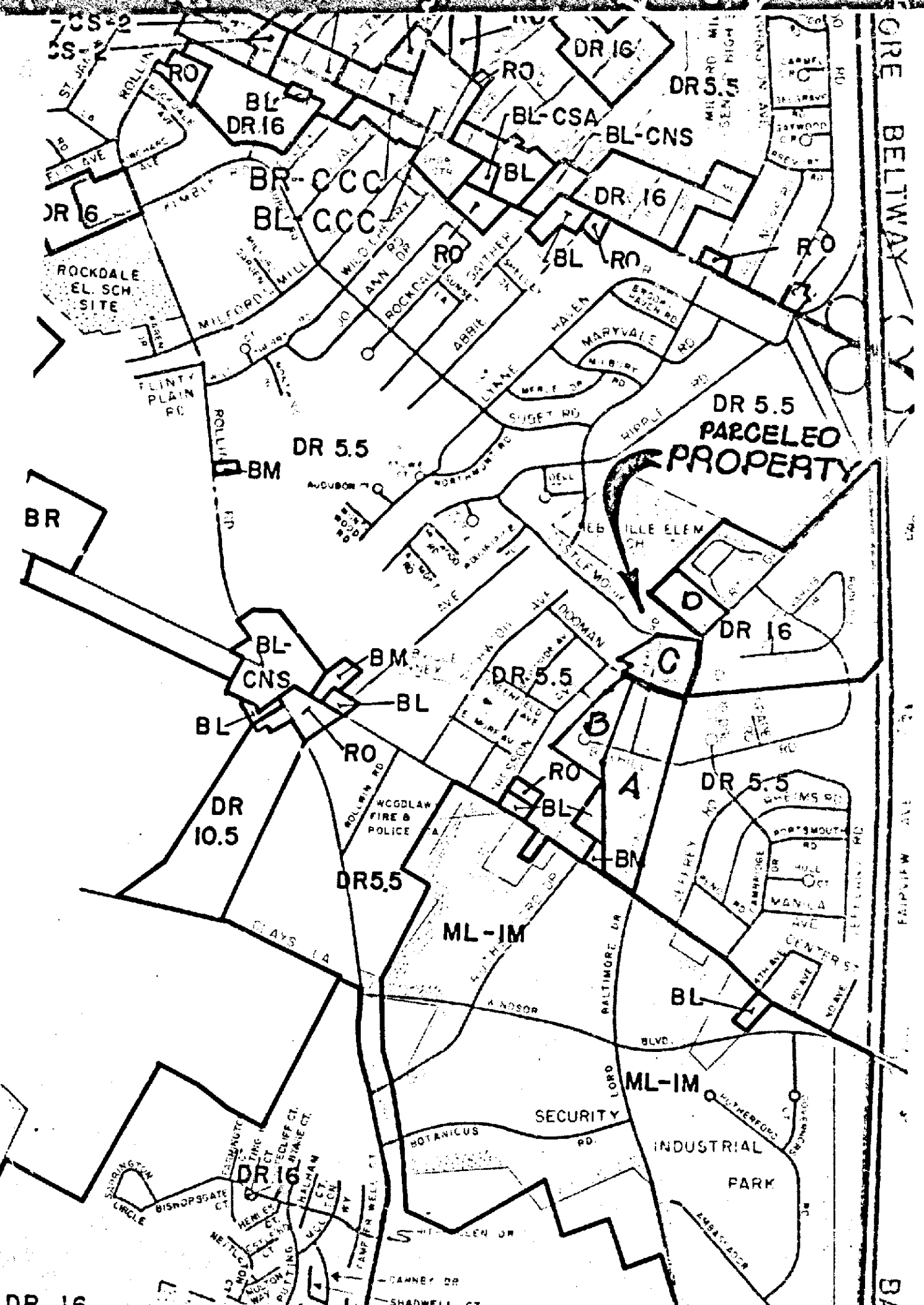
MR. CLERK:  
Please dismiss the captioned matter.

WARTZMAN, ROMERO, RUDD & OMANSKY, P.A.

LEE N. SACHS, Esq.  
25 S. Calvert Street  
Baltimore, MD 21202  
(301) 683-0111

I hereby certify that a copy of the above was mailed this 27 day of April, 1983, by first class mail, postage pre-paid, to John W. Hessian, Esq., County Office Building, Towson, MD 21204.

Lee N. Sachs



IN THE MATTER OF  
THE APPLICATION OF  
HOWARD BROWN  
FOR REZONING OF PROPERTY  
Parcel A - SW corner Dooman Road  
and Timanus Lane  
Parcel B - SW/S Dooman Road 510'  
NW of Timanus Lane  
Parcel C - NW corner Dooman Road  
and Timanus Lane  
2nd District

BEFORE  
COUNTY BOARD OF APPEALS  
OF  
BALTIMORE COUNTY  
No. R-82-182  
(Item #3 - Cycle II)

OPINION

This case was continued at the time of the original hearing to permit the submission of legal Memoranda from both attorneys addressing the issue of "change in the neighborhood" as a basis for a reclassification of the property in question. Memoranda have been received from both parties and are now part of the official case record.

Petitioner cites two cases from the Court of Appeals which support the contention that "change in the neighborhood" prior to the latest comprehensive maps need not be entirely ignored nor should it prevent reclassification of the property at issue. These two cases are, Town of Somerset v. County Council, 229 Md. 42, 181 A.2d 671 (1962) and Muhly v. County Council, 218 Md. 543, 147 A.2d 735 (1959). He also notes a Law Review article supporting this contention; Law Review article entitled "Zoning Change: Flexibility vs. Stability" (26 Md. L.R. 48, 1966).

People's Counsel cites a number of Court of Appeals decisions in which the court ruled the applicant must show changes that have occurred in the neighborhood since the latest comprehensive map process and quoted from the court's Opinion in Mayor and Council of Rockville v. Stone, 271 Md. 655 as follows:

"Montgomery v. Bd. of Co. Comm'rs for Prince George's Co., 256 Md. 597, 261 A.2d 447 (1970). See also Rockville v. Hanley, supra; Clawson v. Prince George's Co., 256 Md. 409, 252 A.2d 689 (1972); Heiler v. Prince George's Co., supra."

Baltimore County Code, Section 2-58.1(j) (1) states:

"Before any property is reclassified pursuant to this section, the Board of Appeals must find:

(1) That there has occurred a substantial change in the character of the neighborhood in which the property is located since the property was last classified, . . . ."



HOWARD BROWN - #R-82-182

In order to obtain his requested reclassification Petitioner must clearly demonstrate this change. However, the Board does not interpret the statute to prohibit any testimony evidencing this change prior to the adoption of the latest comprehensive maps. Instead, this Board is of the opinion that a change which may exist subsequent to the 1980 map may well have begun prior to the adoption of this map. Accordingly, the Board will allow testimony concerning all relevant changes regardless of when they occurred in order to allow the Petitioner to show the process of change as it relates to the property in question. If there has occurred "change in the neighborhood" since the last maps were adopted it would seem only fair and proper that the evidence to this change be permitted, regardless of when it began to occur. The burden upon the Petitioner is to evidence to the Board that there has been change in the neighborhood since the adoption of the latest comprehensive map and the Board does not find that this evidence must be confined solely to the time since the date of the latest comprehensive map, but does find that any evidence indicating change prior to the map adoption must clearly relate to the change existing today.

RULING

For the reasons set forth above, the Board of Appeals RULES, this 29th day of March, 1983, that the evidence to neighborhood change occurring prior to the adoption of the latest comprehensive map shall be taken and accepted if such evidence be pertinent to or related to the change existing since the adoption of the latest comprehensive map. Therefore, this case will be set for hearing.

COUNTY BOARD OF APPEALS

OF BALTIMORE COUNTY

William T. Hackett, Chairman

Keith S. Franz

Patricia Phipps

IN THE MATTER OF  
THE APPLICATION OF  
HOWARD BROWN  
FOR REZONING OF PROPERTY  
(3 Parcels) located on the  
SW cor. Dooman Road and  
Timanus Road, etc.  
2nd District

COUNTY BOARD OF APPEALS  
OF  
BALTIMORE COUNTY  
No. R-82-182  
(Item #3 - Cycle II)

ORDER OF DISMISSAL

Petition of Howard Brown for reclassification of property located (Parcel A) SW corner of Dooman Road and Timanus Lane, (Parcel B) SW/S Dooman Road 510 feet NW of Timanus Lane, and (Parcel C) NW corner Dooman Road and Timanus Lane, in the Second Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of Petition filed April 28, 1983 (a copy of which is attached hereto and made a part hereof) from the attorney representing the Petitioner in the above entitled matter; and

WHEREAS, the said attorney for the said Petitioner requests that the Petition filed on behalf of said Petitioner be dismissed and withdrawn as of April 28, 1983,

IT IS HEREBY ORDERED this 3rd day of May, 1983, that said Petition be and the same is withdrawn and dismissed.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

William T. Hackett, Chairman

Keith S. Franz

Joanne L. Suder

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

R-82-182

District: 2nd  
Posted for: Re classification  
Petitioner: Brown  
Location of property: Parcel A NW/cor. Timanus Ln. & Windsor Mill Rd.  
Parcel B SW/S Dooman Rd. 510' NW of Timanus Lane & 1707' NE of Windsor Mill Rd.  
Parcel C NW corner Dooman Rd. & Timanus Lane, 1777' NE of Windsor Mill Rd.  
Remarks: 1st full page add & individual posting and advertising of Case #R-82-182 (Howard Brown)  
Number of Signs: 4

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 104557

DATE 2/10/82 ACCOUNT 01-662

AMOUNT \$50.00

RECEIVED FROM Wartzman, Romero, Rudd & Omansky  
FOR Filing Fee for Case #R-82-182 (Brown)

314043 10 500000

VALIDATION OR SIGNATURE OF CARRIER



# CERTIFICATE OF PUBLICATION

OFFICE OF  
**Dundalk Eagle**

38 N. Dundalk Ave.  
Dundalk, Md. 21222

Feb. 19, 1982

THIS IS TO CERTIFY, that the annexed advertisement of  
W. Hackett, Chairman Balto Co. Board of Appeals, in matter  
of Petition for reclassification by Howard Brown  
was inserted in **The Dundalk Eagle** a weekly news-  
paper published in Baltimore County, Maryland, once ~~before~~  
before the

19th day of February, 1982; that is to say,

the same was inserted in the issue of

February 18, 1982

**Kimbel Publication, Inc.**

Publisher.

By *William T. Hackett*

## PETITION FOR RECLASSIFICATION 2ND DISTRICT

LOCATIONS: Parcel A - Northwest corner of  
Timanus Lane and Windsor Mill Road.  
Parcel B - Southwest side of Doorman Road  
turning south 510 ft. Northwest of Timanus  
Lane and 1707 ft. Northwest of Windsor  
Mill Road. Parcel C - Northwest corner of  
Timanus Lane and Doorman Road turning  
south 1777 ft. Northwest of Windsor Mill  
Road.  
DATE & TIME: Wednesday, March 10,  
1982, at 10:00 A.M.  
PUBLIC HEARING: Room 218, Courthouse,  
Towson, Maryland.  
The County Board of Appeals for Baltimore  
County, by authority of the Baltimore  
County Charter will hold a public hearing  
Present Zoning: D.R. 5.5  
Proposed Zoning: B.L. and D.R. 16  
All that parcel of land in the Second  
District of Baltimore County

PARCEL A  
DESCRIPTION FOR REZONING FROM DR  
5.5 TO B.L. WINDSOR MILL ROAD AND  
TIMANUS LANE, SECOND DISTRICT, BAL-  
TIMORE COUNTY, MARYLAND.  
Beginning for the same at a point  
the center of Windsor Mill Road approximately  
10 feet Northwest of the Southwest side of  
Windsor Mill Road and running thence  
North 12 Degrees 22 Minutes 46 Seconds  
East 1000.00 feet thence leaving the center  
line of Timanus Lane and running North 72  
Degrees 15 Minutes 21 Seconds West 40  
feet more or less to the Northwest side of  
Timanus Lane 60 feet wide and running  
thence and binding thereon North 12  
Degrees 22 Minutes 46 Seconds East 687  
feet more or less and Northwest by a  
curve to the left with a radius of 20.00  
feet the distance of 34.42 feet to the  
Southwest side of Doorman Road as pro-  
posed to be laid out fifty feet wide and  
running thence and binding thereon North  
77 Degrees 37 Minutes 14 Seconds West  
304 feet more or less and Northwest by  
a curve to the right with a radius of 625  
feet the distance of 156 feet more or less  
thence leaving the Southwest side of Do-  
orman Road as proposed to be laid out and  
running South 12 Degrees 22 Minutes 46  
Seconds West 686 feet more or less South  
01 Degrees 55 Minutes 00 Seconds 00 De-  
grees 34 Minutes 15 Seconds West 162.00  
feet to a point in Windsor Mill Road thence  
referred to and run" g thence and binding  
in Windsor Mill Road South 35 Degrees 04  
Minutes 09 Seconds East 308.64 feet to  
the place of beginning.  
Containing 16.86 acres of land more or less.

PARCEL B  
DESCRIPTION FOR REZONING FROM DR  
5.5 TO DR 16 NORTHWEST OF TIMANUS  
LANE, SECOND DISTRICT, BALTIMORE  
COUNTY, MARYLAND.  
Beginning for the same at a point on  
the Southwest side of Doorman Road, as  
proposed to be laid out, 50 feet wide at  
the distance of 510 feet more or less mea-  
sured along the Southwest side of said pro-  
posed Doorman Road from the center line  
of Timanus Lane 50 feet wide, said point  
of Timanus Lane being 1707 feet more or less  
measured north-  
easterly along the center line of Timanus  
Lane from a point in Windsor Mill Road  
and running thence and binding on the  
Southwest side of Doorman Road as pro-  
posed to be laid out, Northwest by a  
curve to the right with a radius of 625 feet  
the distance of 88 feet more or less thence  
leaving the Southwest side of Doorman Road  
as proposed to be laid out and running  
South 38 ft. less 29 Minutes 00 Seconds  
West 34 feet more or less South 02  
Degrees 01 Minutes 24 Seconds West 43  
feet more or less North 87 Degrees 58  
Minutes 36 Seconds West 43 feet more or  
less South 47 Degrees 01 Minutes 24  
Seconds West 210 feet more or less South  
36 Degrees 22 Minutes 56 Seconds West  
58 feet more or less South 29 Degrees 19  
Minutes 15 Seconds West 323 feet more or  
less South 55 Degrees 13 Minutes 17  
Seconds East 468 feet more or less North  
01 Degrees 55 Minutes 00 Seconds West  
143 feet more or less and North 12 De-  
grees 22 Minutes 46 Seconds East 386 feet  
to the place of beginning.  
Containing 4.92 acres of land more or less.

PARCEL C  
DESCRIPTION FOR REZONING FROM DR  
5.5 TO DR 16, TIMANUS LANE, NORTH OF  
WINDSOR MILL ROAD, SECOND DISTRICT,  
BALTIMORE COUNTY, MARYLAND.  
Beginning for the same at a point on  
the Northwest side of Timanus Lane 50  
feet wide said point of beginning being at  
the distance of 1777 feet, more or less  
measured Northwest along the Northwest  
side of Timanus Lane from a point in Win-  
dorsor Mill Road and running thence and  
binding on the Northwest side of Timanus  
Lane North 12 Degrees 22 Minutes 46  
Seconds East 427 feet more or less and  
Northwest by a curve to the left with a  
radius of 20.00 feet and a distance of  
34.35 feet to the Southwest side of Cas-  
tlemoor Road and running thence and binding  
thereon North 85 Degrees 01 Minutes 50  
Seconds West 316 feet more or less thence  
leaving the Southwest side of Castlemoor  
Road and running South 61 Degrees 46  
Minutes 00 Seconds West 329 feet more or  
less South 48 Degrees 13 Minutes 54  
Seconds East 57 feet more or less South  
52 Degrees 59 Minutes 38 Seconds East  
55 feet more or less and South 33 Degrees  
29 Minutes 29 Seconds West 125 feet  
more or less to the Northeast side of Do-  
orman Road as proposed to be laid out and  
at herein referred to and running thence  
and binding thereon Southeast by a  
curve to the left with a radius of 575 feet  
the distance of 212 feet more or less South  
17 Degrees 37 Minutes 14 Seconds East  
304 feet, more or less and Northeast by a  
curve to the left with a radius of 20.00  
feet the distance of 34.42 feet to the place  
of beginning.  
Containing 4.87 acres of land more or less.  
Being the property of Howard Brown, it is  
shown on plat plan filed with the Zoning  
Department.  
Hearing Date: Wednesday, March 10, 1982,  
at 10:00 A.M.  
Public Hearing: Room 218, Courthouse,  
Towson, Maryland.

BY ORDER OF  
WILLIAM T. HACKETT, CHAIRMAN  
COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

## PETITION FOR RECLASSIFICATION 2nd DISTRICT

ZONING: Petition for Re-classifica-  
tion  
LOCATIONS: Parcel A - Northwest  
corner of Timanus Lane and  
Windsor Mill Road. Parcel B -  
Southwest side of Doorman Road  
(unimproved) 510 ft. Northwest of  
Timanus Lane and 1777 ft. North-  
east of Windsor Mill Road. Parcel  
C - Northwest corner of Ti-  
manus Lane and Doorman Road  
(unimproved) 1777 ft. Northeast  
of Windsor Mill Road.  
DATE & TIME: Wednesday, March  
10, 1982, at 10:00 A.M.  
PUBLIC HEARING: Room 218,  
Courthouse, Towson, Maryland.

The County Board of Appeals for  
Baltimore County, by authority of  
the Baltimore County Charter will  
hold a public hearing:  
Present Zoning: D.R. 5.5  
Proposed Zoning: B.L. and D.R. 16  
All that parcel of land in the Sec-  
ond District of Baltimore County

PARCEL A  
DESCRIPTION FOR REZONING  
FROM DR 5.5 TO B.L. WINDSOR  
MILL ROAD AND TIMANUS  
LANE, SECOND DISTRICT, BAL-  
TIMORE COUNTY, MARYLAND.  
Beginning for the same at a point  
in the center of Timanus Lane said  
point being in the bed of Windsor  
Mill Road approximately 10 feet  
Northeast of the Southwest side of  
Windsor Mill Road and running  
thence and binding on the center  
line of Timanus Lane North 12 De-  
grees 22 Minutes 46 Seconds East  
1000.00 feet thence leaving the cen-  
ter line of Timanus Lane and run-  
ning North 72 Degrees 15 Minutes  
21 Seconds West 40 feet more or  
less to the Northwest side of Ti-  
manus Lane 60 feet wide and run-  
ning thence and binding thereon  
North 12 Degrees 22 Minutes 46  
Seconds East 687 feet more or less  
and Northwest by a curve to the  
left with a radius of 20.00 feet  
the distance of 34.42 feet to the  
Southwest side of Doorman Road as  
proposed to be laid out fifty feet  
wide and running thence and bind-  
ing thereon North 77 Degrees 37  
Minutes 14 Seconds West 304 feet  
more or less and Northwest by a  
curve to the right with a radius of  
625 feet the distance of 156 feet  
more or less thence leaving the  
Southwest side of Doorman Road as  
proposed to be laid out and run-  
ning South 12 degrees 22 Minutes  
46 Seconds West 686 feet more or  
less South 01 Degrees 55 Minutes  
00 Seconds East 308.64 feet to the  
place of beginning.  
Containing 16.86 acres of land  
more or less.

PARCEL B  
DESCRIPTION FOR REZONING  
FROM DR 5.5 TO DR 16 NORTH-  
WEST OF TIMANUS LANE, SEC-  
OND DISTRICT, BALTIMORE  
COUNTY, MARYLAND.  
Beginning for the same at a point  
on the Southwest side of Doorman  
Road, as proposed to be laid out,  
50 feet wide at the distance of 510  
feet more or less measured along  
the Southwest side of said proposed  
Doorman Road from the center line  
of Timanus Lane 50 feet wide, said  
point in the center line of Timanus  
Lane being 1707 feet, more or less  
measured north-  
easterly along the center line of  
Timanus Lane from a point in Win-  
dorsor Mill Road and running  
thence and binding on the South-  
west side of Doorman Road as  
proposed to be laid out, Northwest-  
erly by a curve to the right with  
a radius of 625 feet the distance of  
88 feet more or less thence leaving  
the Southwest side of Doorman  
Road, as proposed to be laid out  
and running South 38 Degrees 29  
Minutes 00 Seconds West 34 feet  
more or less South 02 Degrees 01  
Minutes 24 Seconds West 43 feet  
more or less North 87 Degrees 58  
Minutes 36 Seconds West 43 feet  
more or less South 47 Degrees 01  
Minutes 24 Seconds West 210 feet  
more or less South 36 Degrees 22  
Minutes 56 Seconds West 58 feet  
more or less South 29 Degrees 19  
Minutes 15 Seconds West 323 feet  
more or less South 55 Degrees 13  
Minutes 17 Seconds East 468 feet  
more or less North 01 Degrees 55  
Minutes 00 Seconds West 143 feet  
more or less and North 12 Degrees  
22 Minutes 46 Seconds East 386 feet  
to the place of beginning.  
Containing 4.92 acres of land more  
or less.

PARCEL C  
DESCRIPTION FOR REZONING  
FROM DR 5.5 TO DR 16, TIMANUS  
LANE, NORTH OF WINDSOR  
MILL ROAD, SECOND DISTRICT,  
BALTIMORE COUNTY, MARY-  
LAND.  
Beginning for the same at a point  
on the Northwest side of Timanus  
Lane 50 feet wide said point of be-  
ginning being at the distance of  
1777 feet, more or less, measured  
Northeast along the Northwest  
side of Timanus Lane from a point  
in Windsor Mill Road and running  
thence and binding on the North-  
west side of Timanus Lane North  
12 Degrees 22 Minutes 46 Seconds  
East 427 feet more or less and  
Northwest by a curve to the left  
with a radius of 20.00 feet and a  
distance of 34.35 feet to the South-  
west side of Castlemoor Road and  
running thence and binding thereon  
North 85 Degrees 01 Minutes 50  
Seconds West 316 feet more or less  
thence leaving the Southwest side of  
Castlemoor Road and running South  
61 Degrees 46 Minutes 00 Seconds  
West 329 feet more or less South  
48 Degrees 13 Minutes 54 Seconds  
East 57 feet more or less South  
52 Degrees 59 Minutes 38 Seconds  
East 55 feet more or less to the North-  
west side of Doorman Road as pro-  
posed to be laid out and as herein  
referred to and running thence and  
binding thereon Southeast by a  
curve to the left with a radius of  
575 feet the distance of 212 feet  
more or less South 17 Degrees 37  
Minutes 14 Seconds East 304 feet  
more or less and Northeast by  
a curve to the left with a radius of  
20.00 feet the distance of 34.42 feet  
to the place of beginning.  
Containing 4.87 acres of land  
more or less.  
Being the property of Howard  
Brown, as shown on plat plan filed  
with the Zoning Department.  
Hearing Date: Wednesday, March  
10, 1982, at 10:00 A.M.  
Public Hearing: Room 218, Court-  
house, Towson, Maryland.  
By Order Of  
WILLIAM T. HACKETT,  
Chairman  
County Board of Appeals  
of Baltimore County  
Feb. 18,

## CERTIFICATE OF PUBLICATION

TOWSON, MD., February 18, 1982

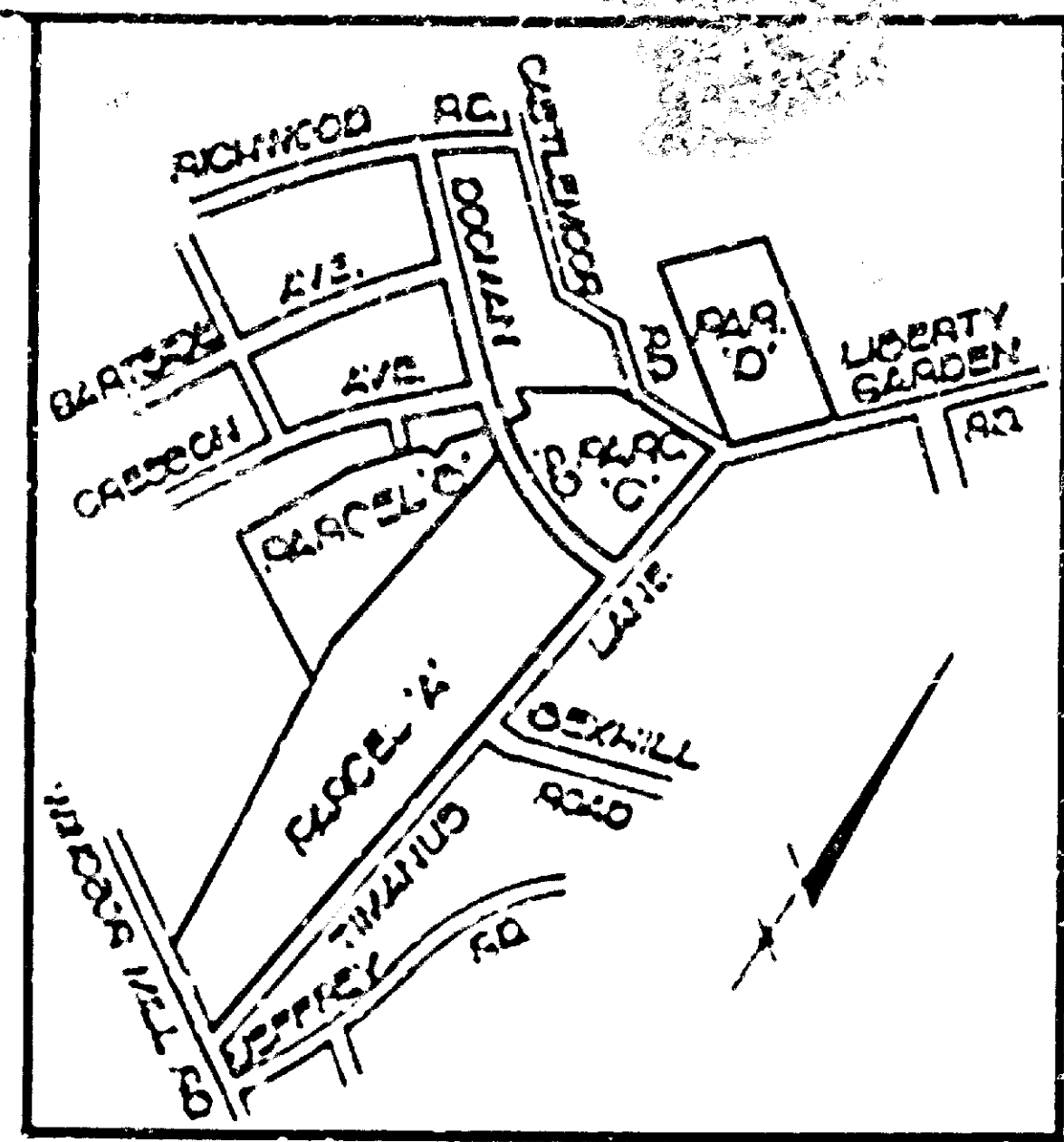
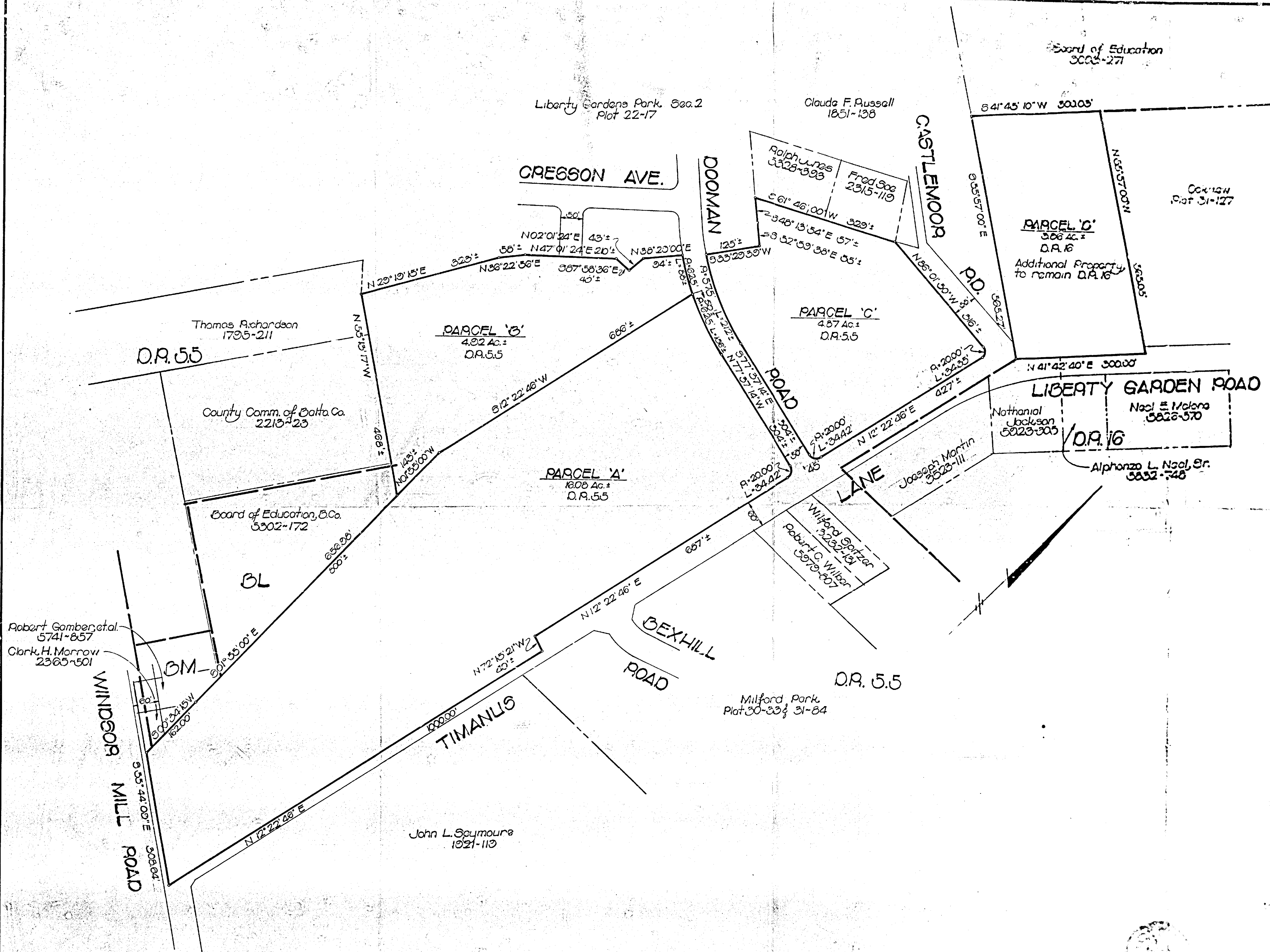
THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper printed  
and published in Towson, Baltimore County, Md., ~~successively~~  
at one time ~~successively~~ before the 10th  
day of March, 1982, the first publication  
appearing on the 18th day of February  
1982.

THE JEFFERSONIAN

*W. Link Smith*  
Manager.

Cost of Advertisement, \$





<b>PARCEL 'A'</b>	
Total Area of Tract	18.08 Ac.
Existing Zoning	D.R. 5.5
Proposed Zoning	BL
<b>PARCEL 'B'</b>	
Total Area of Tract	4.92 Ac.
Existing Zoning	D.R. 5.5
Proposed Zoning	D.R. 16
<b>PARCEL 'C'</b>	
Total Area of Tract	4.87 Ac.
Existing Zoning	D.R. 5.5
Proposed Zoning	D.R. 16

REVISIONS	
NO.	DESCRIPTION

**SPELLMAN, LARSON & ASSOCIATES, INC.**  
CIVIL ENGINEERS AND LAND SURVEYORS  
SUITE 40, JEFFERSON BLDG., TOWSON, MD., 21204  
PHONE 823-5535

**PLAT TO ACCOMPANY PETITIONS - for -**  
**REZONING OF PROPERTY**  
VICINITY  
**TIMANUS LA. & DOOMAN RD.**  
2nd Councilmanic Dist.  
2nd Election District Baltimore Co., Md.

SCALE 1"=330'    PREP. BY: J. L.    DATE: 10/2/74    SHEET 1 OF 1